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Attorneys for Plaintiff
ALIPHCOM, a California corporation

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ALIPHCOM, a California corporation,

Plaintiff,

v.

BEIJING DUNHUANG HEGUANG
INFORMATION TECHNOLOGY CO.
LTD.; and DOES 2 through 58,

Defendants.

Civil Action No. 13-cv-5916 KAW

**REQUEST TO CONTINUE CASE
MANAGEMENT CONFERENCE AND
~~PROPOSED~~ ORDER**

Mag. Judge: Hon. Kandis A. Westmore

Plaintiff AliphCom (“Jawbone” or “Plaintiff”) submits this request to continue the Case Management Conference. Jawbone filed its Complaint on December 20, 2013, and filed its First Amended Complaint on April 14, 2014. Through its attempts to serve Defendant Beijing Dunhuang Huguang Information Technology Co. Ltd. (“DHGate”) with the Complaint, First Amended Complaint, and related filings and papers, pursuant to Federal Rules of Civil Procedure (“FRCP”) 4(h)(2) and 4(d), Jawbone has made contact with DHGate’s U.S. counsel, and is currently discussing the pending case, service options, and potential resolution with DHGate’s counsel. Despite its efforts to do so, however, Jawbone has not yet been able to serve DHGate.

A Case Management Conference is scheduled before the Court on September 2, 2014. In light of Jawbone’s ongoing efforts to serve DHGate, a foreign company located in China, Jawbone

1 respectfully requests that the Court continue the Case Management Conference for eight (8) weeks,
2 or until October 28, 2014, at 1:30 p.m., to allow Jawbone to complete service on DHGate.

3 Respectfully submitted,

4 KILPATRICK TOWNSEND & STOCKTON LLP

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6 DATED: August 19, 2014

By: /s/ Ryan Bricker

7 Gregory S. Gilchrist
8 Jennifer D. Arkowitz
9 Ryan Bricker

Attorneys for Plaintiff
ALIPHCOM

10 IT IS SO ORDERED.

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12 Dated: August 21, 2014


13 Hon. Kandis A. Westmore
14 United States Magistrate Judge
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